Amendments to the Drawings

The attached sheet(s) of drawings includes changes to Fig(s) 2, 4. The sheet(s), which

includes Fig(s) 2, 4, replaces the original sheet(s) including Fig(s) 2, 4.

Attachment: Replacement Sheet(s)

REMARKS

Claims 1-20 are pending in this application, all of which have been rejected. Claims 1-20 have been rejected under 35 U.S.C. § 101. Additionally, claims 1-20 have been rejected under 35 U.S.C. § 103(a) as being obvious over Gray in view of Bowman-Amuah. Claims 1-10 and 18 have been rejected under 35 U.S.C. § 112, second paragraph. Claims 1-10 and 15 have been objected to. The specification and drawings have been objected to. Applicants address the grounds for objection and rejection below.

Objection to Specification

The Examiner objects to the specification on the ground that it contains a hyperlink. By way of amendment, applicant has removed the hyperlink from paragraph 0045.

Objection to the Drawings

The Examiner objects to the drawings on the ground that they include reference numerals 195 and 540, not mentioned in the specification. Both numerals are typographical oversights. Applicants have amended paragraph 0025 of the specification to refer to numeral 195 in the appropriate place, and have amended Figure 4 to change "540" to "440." These amendments address the drawing objections relating to Figures 195 and 540, and do not introduce new matter.

Additionally, the Examiner has objected to the drawings on the ground that they do not contain the items "16, 20, DB server 4, Data Store 4, and 440." In response, applicants note the following:

- The specification describes "land-line telephone 16" as being interconnected via communications network 14. Applicants have amended Figure 2 to show the stated relationship between land-line telephone 16 and communication network 14. Since this is described in the specification, no new matter is introduced by adding what is described to the drawings.

- The specification describes clients 20a, 20b, and 20c, collectively referred to as clients "20." Since Figure 2 refers to clients 110a, 110b, and 110c, applicants have amended paragraph 0028 to conform to the numbering of the drawings. The changes to

paragraph 0028 affect only typographical oversights in the original version of paragraph 0028; thus, these changes do not affect the scope or meaning of paragraph 0028, and do not introduce new matter.

- Figure 3 shows three data stores and three DB servers, but the specification refers to Figure 3 as having four data stores and four DB servers. The actual number of data stores and DB servers — whether it be three or four or some other number — is merely an example, and it not limiting of the invention. Thus, to make the number of DB servers and data stores consistent across the written description and the drawings, applicants have amended paragraphs 0051 and 0052 of the specification to refer to only three data stores and DB servers. Again, since the actual number is merely an example, the change to paragraphs 0051 and 0052 does not affect the scope or meaning of the application, and thus does not introduce new matter. Additionally, although not noted by the Examiner, applicant has amended paragraph 0051 to refer to "applications" by the numeral shown in Figure 3; this change affects only a typographical oversight and does not introduce new matter.

- The reference to "440" in the specification has been addressed by amendment to Figure 4, as previously noted.

Claim Objections

Applicants have amended the claims in the manner suggested by the Examiner.

Section 112 Rejection

Applicants have amended claims 1, 9, and 18, and the various antecedent basis and indefiniteness issues have been addressed. No new matter is introduced by the claim amendments. The amendments are supported at least by paragraphs 0031 through 0037 of the original specification.

Section 101 Rejection

Applicants have amended independent claims 1 and 11 to more particularly point out that the subject matter therein involves at least one medium. The Examiner suggests that the claims recite "functional descriptive material." If the Examiner intends to imply that the claim recite function without structure, this characterization is inapposite to at least

independent claim 17, by virtue of the language used in claim 17. Independent claim 20 is a method claim, and it is clear that a method claim can be "realized" irrespective of whether it is "embodied on a medium," as per the rejection. Finally, all of the independent claims state a useful, concrete and tangible result. Independent claims 1 and 11 are directed to "generating data." Independent claim 17 is directed to "generating repeatable synthetic data." Independent claim 20 is directed to generating "repeatable synthesized data." As described in the application, at least at paragraphs 0002 through 0010, the invention is directed to creating synthetic data that can, in one example, be used to test the performance of programs that process data. Such programs need a set of test data to operate on, and thus the generated data that will serve as the test data is, itself, a useful, concrete, tangible result.

Applicants thus submit that the section 101 rejection is not well grounded, and should be withdrawn.

Section 103 Rejection

Applicants respectfully submit that the section 103 rejection of the claims has overlooked features of the claims, and has also overlooked deficiencies in the prior art. Applicants demonstrate below how the section 103 rejection has misapplied the art to the claims.

Initially, applicants note that the rejection of all claims 1-20 is based on a combination of Grey with Bowman-Amuah. No part of the rejection appears to be based on a proposed modification of Grey or Bowman-Amuah; rather, the Examiner's position is that all features of the claims are found, as claimed, in either Grey or Bowman-Amuah, and section 103 is relied on only to *combine* these references, rather than to *modify* the references. Thus, applicants have focused on demonstrating why particular claim features are not found in the references applied to those particular features. However, applicants note that, irrespective of which reference has been applied to a particular feature, neither the Grey nor Bowman-Amuah reference teaches or suggests the below-discussed features of the claims.

Independent Claim 1

Independent claim 1, as amended, defines a "deterministic data generation module accepting, as a first input, at least one of: (a) data sets and (b) data elements from which

synthetic data is generated, said synthetic data having a sequence; and a seed, the seed acting as a second input to the deterministic data generation module, the seed indicating a position in the sequence of the synthetic data." The Examiner acknowledges that these feature are not in Grey, and relies entirely on Bowman-Amuah – particularly col. 101, line 60 through col. 102, line 3 – for teaching this feature. (While the above-quoted claim language is not identical to the language that was in claim 1 at the time of examination, claim 1 has been amended only to address technical or section 112 issues, and the scope and meaning of the claim has not been affected.)

The applied portion of Bowman-Amuah is as follows:

Test Data Management

Test Data Management tools allow developers to create and maintain input data and expected results associated with a test plan. They include test data and archiving tools that assist in switching between cycles and repeating a cycle based on the original data created for that cycle.

Test Data Management functionality may be provided by the following tools:

Test data generation tools – usually generate test data by permutation of values of fields, either randomly or systematically.

This portion is inapposite to the features to which it has been applied.

First, the above-quoted portion does not teach or suggest that Bowman-Amuah's tool accepts either data sets or data elements as input. Thus, even if one assumes – as the Examiner does – that Bowman-Amuah's tool could be "installed" in the alleged invention of Grey, there is no suggestion that the Bowman-Amuah tool could accept the claimed data sets or data elements as input.

Second, Bowman-Amuah does not teach or suggest that a seed indicates "a position in the sequence of the synthetic data." The Examiner has not in any way addressed the use of the seed to indicate a "position." Applicants respectfully submit that this feature is absent from Bowman-Amuah as applied.

Moreover, although Grey has not been applied to the above-quoted features of claim 1, applicants note that the above-quoted feature is not found in Grey.

Thus, as demonstrated above, claim 1 is patentable over the applied prior art, and the section 103 rejection should be withdrawn.

Independent Claim 11

The Examiner has not applied claim 11 directly to the prior art, but rather asserts that claim 11 "encompasses substantially the same scope of the [sic] invention as that of Claim 1 ...." Applicants do not accept the Examiner's characterization, and believe that whatever similarities and differences exist between claims 1 and 11 can be discerned from their language and do not allow for such characterization. Since the Examiner has chosen not to apply the language of claim 11 directly to claim 1, and, instead, has relied on the rejection of claim 1, applicants have no argument to reply to.

However, applicants do note that claim 11 recites the features of "providing a deterministic data generation module ... to generate a data set having synthesized data ... [and] providing a seed as input to the deterministic data generation module, the seed acting to position the deterministic data generation module to generate data having a predefined sequence number, wherein the seed value is derived from the predefined sequence number." In other words, claim 11 defines a relationship between the seed and the position of data in a sequence. As noted above in the discussion of claim 1, the applied prior art does not teach or suggest the use of a seed to indicate a position, and the Examiner has not provided any argument that the applied prior art does teach this feature. While the use of a seed is not he same in claim 1 as it is in claim 11, applicants note that the applied prior art does not teach the use of a seed to indicate a position – either as recited in claim 1 or as recited in claim 11.

For at least this reason, the applied prior art does not teach or suggest the features of claim 11, and applicants request that the section 103 rejection of claim 11 be reconsidered and withdrawn.

Independent Claim 17

The Examiner has not provided an explanation of how claim 17 corresponds to the prior art, and instead has merely asserted that "[c]laim 17 encompasses substantially the same scope of the [sic] invention as that of Claims 1 and 11." Applicants do not accept the Examiner's characterization, and believe that whatever similarities and differences exist

between claims 1, 11 and 17 can be discerned from their language and do not allow for such characterization.

However, applicants note that claim 17, as amended, recites "a means to seed the generating function to generate data having a particular sequence number that is chosen based on the seed." As noted above in the discussion of claim 1 and 11, the applied prior art does not teach or suggest the use of a seed to indicate a position. For at least this reason, the applied prior art does not teach or suggest the features of claim 17 as amended, and applicants thus request that the section 103 rejection of claim 17 be reconsidered and withdrawn.

Independent Claim 20

The Examiner has not provided an explanation of how claim 20 corresponds to the prior art, and instead has merely asserted that "[c]laim 20 encompasses substantially the same scope of the [sic] invention as that of Claims 1, 11 and 17." Applicants do not accept the Examiner's characterization, and believe that whatever similarities and differences exist between claims 1, 11, 17 and 20 can be discerned from their language and do not allow for such characterization.

However, applicants note that claim 20, as amended, recites "setting a seed to act as input for the deterministic data generation function such that the input drives the deterministic data generation function to generate data corresponding to a particular sequential number." As noted above in the discussion of claims 1, 11, and 17 the applied prior art does not teach or suggest the use of a seed to indicate a position. For similar reasons, the applied prior art does not teach the use of a seed to "drive[]" a data generation function to generate data "corresponding to a particular sequential number." Moreover, the Examiner has not provided any explanation of how the prior art is believed to teach or suggest such a feature.

Thus, applicants submit that claim 20 is patentable over the applied prior art, and request that the section 103 rejection of claim 20 be reconsidered and withdrawn.
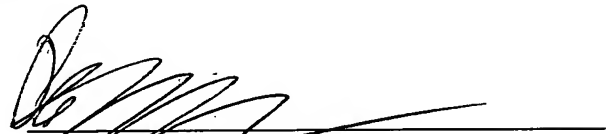
IDS

The Examiner indicates "A system for synthetic data generation" has not been considered. Upon review of the file on PAIR, it was discovered that an abstract page for this reference was trailing the "Generation of satellite data with OMEGA" reference. Out of an abundance of caution, applicants have submitted a supplemental IDS listing this reference and the submitted abstract to ensure that the reference receives whatever consideration is needed.

Conclusion

All grounds of rejection and objection have been addressed above. Moreover, all of the independent claims have been shown to be patentable over the applied prior art, and the dependent claims are patentable at least by reason of their dependency. Applicants thus submit that this case is now in condition for allowance.

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